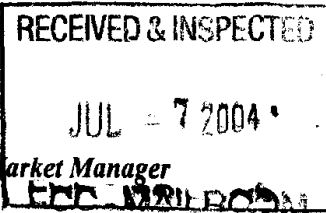




DOCKET FILE COPY ORIGINAL
CLEAR CHANNEL

RADIO CSRA

Barry Kaye
Vice President/Market Manager
Augusta, GA



Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20445

As a General Manager of a group of seven "Local" radio stations in Augusta, GA, I would like to voice my complete support of the NAB's petition filed, April 14, 2004 seeking a Declaratory Ruling on satellite radio's broadcasting of local weather and traffic, and future plans to expand their reach into local radio.

I respectfully request that my comments be filed under the assigned docket number **MB Docket No. 04-160**.

Points of Concern

1. The FCC rightfully granted the appropriate licenses to Satellite radio based on the express promises by Sirius and XM Radio Inc. that their service would be national-only. Further, that their service would provide multiple foreign language programming, senior citizens and children's programming, and more. This type of service "National satellite radio" would not harm local broadcasters.
2. XM and Sirius have gone back on their word, creating and launching "localized" traffic and weather services in "Local" radio's top twenty markets.
 - a. Technology advances not with standing, the leap to continue to "localize" their services can make their formats virtually indistinguishable from local radio.
3. Without the intervention of the FCC, these two companies, with 120 channels each will reach into every market and try to mimic what local broadcasters do.
4. Here in Augusta GA, we provide local traffic and in-depth news coverage of local events pertinent to our valued listeners. Our public files hold many examples of our listener's appreciation of our local presence and ability to respond quickly to the needs of our community. My staff and I are on Boards and committee's that have a direct impact on our city and the welfare of many of our listeners. This local involvement can not be duplicated by the Satellite services, and can do irreparable harm to an already fragile reputation for radio in some cases. More "quasi" local programming will only drive a wedge between us and our listeners, similar to that which exists between television viewers unable to distinguish "Cable" from "Network" programming, as TV is now lumped into one negatively reflected upon genre of entertainment.

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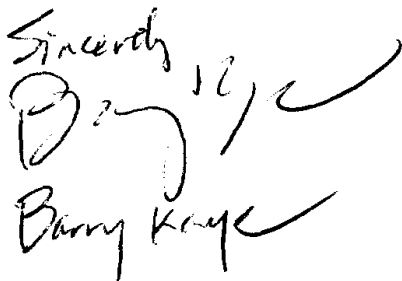


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5. Radio has worked hard to become a viable part of the lives of our listeners, as we provide entertainment and information to the public across this nation and around the world. Initiatives such as the "Amber Alert" in the Southeast have been instrumental in saving the lives of abducted children. It was "Local" radio's quick response that allowed law enforcement to locate the last three children within hours, not days. Ultimately the parents of these children received a phone call from an agency indicating that their child was alive and well, and not from the "Coroner". There are many examples one could give in support of maintaining terrestrial radio's continued presence in our communities. However, what is more important is that these "local" physical plants also "EMPLOY" members of the community that all contribute to the "TAX BASE", and economic well being of the communities where they operate.
6. It is clear that Satellite Radio does not have the public's interest in mind. Having no ownership limits or mandated public service interests, theirs is a service geared solely towards "PROFIT". They have no *local* investment in their communities.
7. The \$9.6 billion broadcasters gave to their local communities in 2003 speaks volumes to our commitment to public service.
8. Local radio stations yield countless hours of PSA time and services to the public. Here in Augusta we are considered a friend of the community for involvement in local and national charitable events and programs. We lend our support to many agencies that would otherwise have no "VOICE" in the community, for lack of funding, as many are non-profit, or not for profit organizations. The encroachment of Satellite radio into our communities would tear the fabric of our local relationships as less and less "Local" information is "PERCEIVED" to be available from "RADIO". As this forced competition between satellite and terrestrial radio increases, terrestrial radio will have no choice but to dedicate more inventories toward revenue and less toward civic oriented ventures.
9. **I implore the FCC to renew its vow to protect "vibrant" local broadcasting, your promise to take "any necessary action to safeguard the important service that terrestrial radio provides." Clarification is needed to enforce the limited authorization of satellite radio to create national-only radio service.**

Sincerely

Barry Kaye